

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

JANUARY 18, 2011

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

#### Present:

Chairman Harold Sanger  
Steve Lichtenfeld, Aldermanic Representative  
Craig S. Owens, City Manager  
Marc Lopata  
Scott Wilson  
Ron Reim

#### Absent:

Jim Liberman

#### Also Present:

Susan Istenes, Director of Planning & Development Services  
Jason Jaggi, Senior Planner  
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting. He asked that all cell phone ringers be turned off or muted and that conversations take place outside the room so as not to disrupt the meeting. He reminded everyone of the newer recording equipment, noting that microphones have to be turned on to ensure proper recording.

## MINUTES

The minutes of the January 3, 2011 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

### AMENDMENT TO CONDITIONAL USE PERMIT/ARCHITECTURAL REVIEW BOARD – OUTDOOR DINING DECK – TANI SUSHI BISTRO – 16 SOUTH BEMISTON AVENUE

Tyler Stephens, project architect, was in attendance at the meeting.

Susan Istenes explained that this is a request for consideration of a Conditional Use Permit amendment for an expansion of use in association with a change in the seating capacity with the addition of a deck at Tani Sushi Bistro. The deck is located in the rear of the building on the east side and will overlook the adjacent parking area to the east and alley to the south. The existing

restaurant measures 3,763 square feet with a seating capacity of 134. The proposed deck will measure 497 square feet with an additional seating capacity of 35. With the proposed deck, the seating capacity will be 169. Additional parking is not required due to the amendment being limited to outdoor seating. Susan indicated that staff's recommendation is to recommend approval to the Board of Aldermen with the conditions that an Outdoor Dining Permit be secured prior to use of area and that no banners or signs be placed on the deck.

Mr. Stephens commented that this is a simple deck addition to the rear of the building. A PowerPoint depicting a site plan was presented. Mr. Stephens indicated that the deck, which sits approximately 13 – 15 feet off the ground, would only be visible from the alley. He stated that the deck will have stairs leading to the alley and a retractable roof.

Slides depicting site photographs and color renderings were presented.

Mr. Stephens commented that they would like to post an identification sign on the deck facing the alley (perpendicular to the building).

Chairman Sanger asked if the sign is to be addressed at this time.

Susan Istenes replied "no". She stated that it is contrary to the City's sign regulations and the sign ordinance itself would have to be amended to allow a sign of this type.

Mr. Stephens asked if it is worth pursuing.

Chairman Sanger suggested Mr. Stephens speak with staff at a later time. He asked if 35 or 28 seats are proposed on the deck.

Mr. Stephens indicated that the deck can handle 35 people per the Fire Code; however, they are only proposing 28.

Chairman Sanger asked how the trash is lifted.

Mr. Stephens indicated that is in on rollers so it can be rolled before picked up by the trash truck.

Steve Lichtenfeld asked if the number of available seats on the bench shown on the drawings would bring the available seating number to 35.

Mr. Stephens replied "yes".

Steve Lichtenfeld asked about stairway security.

Mr. Stephens indicated that there will be a gate at the bottom of the stairs and that those stairs are not intended to be an entrance to the restaurant.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval of the amendment to the Conditional Use Permit to the Board of Aldermen per staff

recommendations. The motion was seconded by Scott Wilson and unanimously approved by the Commission.

The architectural aspects of the project were now up for review.

Susan Istenes explained that this is a request for review of the design and materials associated with the construction of a 497 square foot outdoor dining deck to accommodate 35 patrons to be located on the southeast corner of the building. the eastern solid wall of the deck area will be constructed of stained wood panels with small gaps between to allow light to pass through. A translucent panel measuring approximately fourteen (14) feet wide by four (4) high will be located above the exit stairway. The southern edge will feature a white acrylic solid built-in bench backrest along the lower portion. The area above the bench will be open to the elements. A retractable white fabric awning will extend southward from the existing parapet to the north and will pull down vertically to meet the top of the bench backrest along the southern edge of the proposed deck. Nine (9) tables with twenty-seven (27) chairs are proposed. Bench seating will line the southern edge and southeastern corner of the deck area to accommodate seating for eight (8) additional patrons. The total seating capacity of the proposed rear deck is thirty-five (35). Susan indicated that staff recommendation is to approve as submitted.

Mr. Stephens provided a sample of the waterproof canvas for the proposed retractable awning.

Chairman Sanger asked where the rainwater goes.

Mr. Stephens indicated that it will shed off and onto the alley.

Scott Wilson asked what type of wood they will use for the deck construction.

Mr. Stephens indicated that they do not know exactly at this time, although it will be a rot-resistant wood. He stated that it probably will not be cedar; it could be bamboo.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Marc Lopata and unanimously approved by the Board.

#### CONDITIONAL USE PERMIT – FITNESS CENTER – GATEWAY FITNESS – 6617 CLAYTON ROAD

Mark Whitener, business owner, was in attendance at the meeting.

Susan Istenes explained that this is a request for a Conditional Use Permit to operate a 1,750 square foot personal training academy to be known as Gateway Crossfit. (Per staff memorandum, the following information is being provided for informational purposes: This training will include weight lifting, gymnastics and cardiovascular exercise. The applicant states that the hours of operation will be 6am to 7pm Monday through Friday and 7am to 2pm on Saturday. Peak use of the facility is anticipated at two (2) employees and six (6) clients. An antique store was previously located in this space. Interior painting has been completed and new flooring installed in preparation for the proposed use. The tenant space includes a reception area, fitness area, changing room and office. Clients may access the business through front entrances sharing a common corridor with the

property at 6619 Clayton Road. Two restrooms are shared between the tenants at 6617 and 6619 Clayton Road. Trash will be stored in a dumpster at the rear of the building. Up to thirty (30) parking spaces are available for tenant use in a surface lot located off of St. Rita Avenue. This surface lot is available for tenants of Ka Tom Jon, LLC's building. Staff's recommendation is to approve with the condition that signage be approved by the City prior to installation.)

Mr. Whitener indicated that this is a personal training facility conducting training for no more than 6 clients at a time. He stated that the training floor represents approximately 1,200 square feet of the total square footage

It was noted that the applicant has secured 6 parking spaces from Armbruster for Saturday parking, as the surface lot at the corner of St. Rita and Alamo operates under a Conditional Use Permit and is not available for use on weekends.

Chairman Sanger asked if this is the old antique store.

Mr. Whitener replied "yes".

Chairman Sanger asked if there were any comments from the audience.

Ms. Mimi Dean, 6610 Alamo, asked that the conditions outlined in the Conditional Use Permit be adhered to and commented that it would be beneficial to the residents if they enter and exit to/from the Clayton Road side of the building.

Mr. Whitener indicated they would do so.

Ms. Dean voiced her concern as well as that of resident Naomi Balsamo, regarding parking.

Jason Jaggi indicated that staff researched the Conditional Use Permit that regulates the use of the surface lot at St. Rita and Alamo and that staff has sent a letter to the lot owner that the Conditional Use Permit needs to be transferred into his name and that the conditions need to be followed.

Chairman Sanger asked Mr. Whitener to inform his clients of the parking situation.

Marc Lopata asked if they are already operating the business.

Mr. Whitener replied "no"; however, they do have their equipment in there and are ready to go.

Being no further questions or comments, Marc Lopata made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen. The motion was seconded by Scott Wilson and unanimously approved by the members.

#### PUBLIC ART – THE CRESCENT – 155 CARONDELET PLAZA

Ms. Faith Berger, agent on behalf of Mark Mehlman, owner/developer of The Crescent, was in attendance at the meeting.

Susan Istenes explained that this is a request for re-approval of the proposed installation of a bronze art sculpture by Gerard Tsutakawa to be placed on the pre-poured pad in front of The Crescent building. (Per Staff memorandum, the following information is being provided: The developer has commissioned an artist, Gerard Tsutakawa, to produce a sculpture to be installed at The Crescent along the Carondelet Plaza streetscape near the fountain circle. The artist has created Uzamaki #6, an abstract spiral dark brown in color with a gold and bronze interior. The sculpture will be constructed of bronze with a rich patina. Previously approved dimensions for the sculpture were fifteen (15) feet long by ten (10) feet high by six (6) feet wide. The applicant is proposing changes to these dimensions. The proposed dimensions are twelve and a half (12.5) feet long by seven (7) feet high by eight (8) feet wide. The artist feels that the new proportions with shorter length and height and greater width will better fit the space. The concrete sculpture base has already been installed adjacent to the front entrance to The Crescent and does not encroach into the required pedestrian access route. The sculpture will sit on top of this existing base at an angle consistent with the third story terrace on the subject property. Halogen lamps are installed in the soffit above and will light the sculpture to cast shadows that create a vortex-like pattern. The Public Art Advisory Committee (PAAC) has reviewed the revised plans and does not feel that the change in dimensions will compromise the basic integrity of the design. PAAC members believe that the artwork will fit the space well and that the scale is appropriate to the site. The PAAC recommends approval of the revised plans and staff recommends approval as submitted.

Ms. Berger indicated that they hope to have the piece, commissioned by Mark Mehlman, installed by April 28<sup>th</sup>, 2011. She stated that the dimensions have changed slightly since its original presentation. She indicated that the artist resides in Seattle and that the 1,000 pound piece will be bolted down.

Steve Lichtenfeld asked if there will be security railing around the piece.

Ms. Berger replied “no”; none is needed. She stated that there will be a bronze plaque as well depicting the artist’s name and installation date. She informed the members that the American born artist was born in 1947. She stated the piece will be waxed and buffed 2 times a year.

Marc Lopata asked if the piece will be lit at night.

Ms. Berger replied “yes”; via three overhead lights.

Bev Wagner commented that they are excited to finally get the piece and that it is a beautiful design.

Being no further questions or comments, Scott Wilson made a motion to approve, seconded by Steve Lichtenfeld and unanimously approved by the Board.

#### SITE PLAN REVIEW - NEW CONSTRUCTION – WYDOWN MIDDLE SCHOOL – 6500 WYDOWN BOULEVARD

Those in attendance were: John Mueller (project architect with Arcturis), Kevin Monson (project architect with Neumann Monson), Drew Raasch (contractor with SM Wilson), and Paul Boyer (project civil engineer with CEDC).

Chairman Sanger announced that the e-mails that have been received by City staff have been provided to the Commission members. He then asked Kevin O'Keefe to provide an overview of the City's/Commission's position with regard to this project.

Kevin O'Keefe stated that the Plan Commission is operating under Section 89.380 of the Revised Missouri Statutes relating to public schools and that they (the Plan Commission) will consider and make a recommendation to the governing body, which in this case is the Clayton Board of Education. If the Plan Commission recommends denial of the project, it will take 2/3 majority vote by the Board of Education to overrule the denial. He noted that zoning regulations are not imposed on an entity such as a public School District.

Due to a conflict of interest, Scott Wilson recused himself, left the member table, and did not participate in the discussion and/or vote with regard to this project.

Chairman Sanger stated it is this Commission's obligation to consider/review the project, provide comments and vote; which vote will go directly to the School Board and not to the Board of Aldermen.

Kevin O'Keefe concurred. He noted that this project will not be reviewed/considered by the Board of Aldermen. He reiterated that the zoning laws are inapplicable in this case; however, health and safety issues/requirements are applicable.

Jason Jaggi began a PowerPoint presentation outlining the project. Jason indicated that the proposed building setbacks are: 30 feet from Wydown, 40 feet from University, 190 feet (to west side of parking garage) from Dartford and 20 feet from the South Alley. Building height is 53 feet measured from average existing grade prior to construction, the height at proposed setback lines ranges from 30 to 38 feet and 100 parking spaces are located within the parking structure. The drop off and pick up lane from Wydown is maintained, busses will park on Wydown on the eastern end of the site; a secondary access point from Dartford to the alley is provided as well as an internal lane between the garage and the main building, and a portion of the alley is proposed to be widened. With regard to landscaping, 110 caliper inches of trees are to be removed with 247 caliper inches of evergreens and deciduous trees proposed; an 8 foot high sight-proof fence on top of a retaining wall and row of cedar trees proposed along the south side (with some of these improvements proposed within the platted alley); a continuous row of evergreens along the south and west side of the parking garage and athletic field is proposed as well as a mix of plantings on the north side and street trees (existing and replacement) will surround the street frontages. With regard to storm water and impervious coverage, coverage will decrease from 56.58% to 55.74%; run-off rate will increase from 16.56 CFS to 16.88 CFS; storm water to be piped to the public sewer at Wydown & University and an underground storage detention structure is proposed on the east side of the site. In summary, the proposed project is consistent with the Master Plan land use map, there is a shift in the building's location and an increase in field & building size, the site will function similar to how it does currently (use, vehicular access and site components), there is a recommendation for additional buffering at the garage to help mitigate impact from Wydown Boulevard and additional buffering will mitigate the impact on abutting residential properties.

Chairman Sanger noted that he will solicit comments from the Plan Commission members and then solicit comments from the audience. He asked the individuals in the audience to not repeat comments.

Jason Jaggi provided an overview of staff's recommendation as outlined in staff's memorandum as follows: staff recognizes that the site is constrained in area and that the desired modernization of the school and the athletic field appear to be causing the increase in building size. Staff believes the project would be appreciably more palatable if the new structure took over the existing footprint of the existing structure. Because the proposed use, traffic patterns, parking, access and site circulation aren't significantly different than what exists in its present configuration and the proposed building height isn't significantly different than what currently exists, proper buffering per staff's recommendations will help mitigate the impact of the building and use of the site. Therefore, staff's recommendation is to approve the project with the following conditions:

1. That the 10-foot public right-of-way along the south side of the project shall remain open to access for utility maintenance and that all improvements and landscaping from this utility corridor be relocated.
2. That the cast-in-place retaining wall with stone veneer proposed within the Wydown Boulevard right-of-way along the Drop-off and Pick up lane be removed from the public right-of-way.
3. That the gate in the south alley shall be relocated east of the east property line of 103 Aberdeen Place to locate it out of the public right-of-way and allow garage access for the residences to the south.
4. That a right-of-way dedication plat be approved by the City which provides a minimum alley width of 23-feet on the western portion of the alley from Dartford Avenue to the east property line of 103 Aberdeen Place.
5. That a revised landscape plan be submitted and approved by staff showing a continuous buffer from residential properties to the south. This buffer shall include an 8-foot high sight-proof fence and 8-foot in height continuous evergreen planting row on the south (residential side) of the fence not in conflict with utility placement and access.
6. That a revised landscape plan be submitted and approved by staff showing enhanced screening of all garage openings which are visible from Wydown Boulevard.
7. That the City's landscape architect conduct inspections at cost to the applicant to approve the final location of replacement trees and plant material used for screening of the building and athletic field in conformance with the City's approved plans.
8. That all work within the right-of-way meet the standards and specifications of the City and be approved by the Public Works Department prior to construction.

9. That all street trees proposed to be removed and the replacement of these street trees be approved by the Public Works Department.
10. That construction egress/ingress of off Dartford Avenue and University Lane be eliminated and relocated to Wydown Boulevard and that a construction access plan be approved by the City's Public Works Department prior to issuance of a building permit.
11. That a final Stormwater Pollution Prevention Plan be approved by the Public Works Department prior to issuance of a building permits.
12. That the location of contractor parking be provided and agreed to by the City's Building Official prior to issuing the building permit.
13. Details of the South alley and internal drive gates are to be provided to and approved by the Clayton Fire Department prior to installation. Minimum clearance between the gates must be 23-feet.
14. During Phase 2 and 2A construction, the building's exits and emergency routes (if required) between the two buildings must be identified and approved by the Clayton Fire Department. The exit routes and proposed walking surfaces for the occupants to maneuver to the public on phase 2A must also be included.

Chairman Sanger thanked Jason for the information.

Susan Istenes noted that staff from the Public Works Department is also in attendance this evening.

Mr. Mueller indicated that this process began in May and that their requirements include the need for a 120,000 square foot school to house 550 students. He stated that the project will be LEED Silver and they hope it will be completed in the fall of 2013. He stated their goals are to have a sustainable project, one that fits in the neighborhood and one that is easy to operate and maintain. A site plan was presented. Mr. Mueller depicted the drive lane down the middle and noted the parking below which is accessed via the north/south drive and the south alley. He indicated that a key part of this process was community engagement and that eighteen meetings took place, half were community engagement meetings and half were Board of Education meetings that are open to the public. He stated that in addition, a neighborhood walk through took place on July 13<sup>th</sup> with a community input session held October 19<sup>th</sup>.

Mr. Monson noted they are working with a confined site. He began a PowerPoint presentation. Floor plans were presented, noting the location of the gymnasium, kitchen, etc. Several aerial views of the project were presented (views of the outdoor café, views from the southwest corner of the site, northwest corner of the site, playing field and entryway off Wydown Boulevard). A color rendering of the north elevation was presented as well as site sections looking north, east and west. Samples of materials including the brick, stone, and glass were presented. Mr. Monson briefly discussed vehicular movement and depicted such on the site plan. He noted that the drop-off/pick-up drive lane is 360 feet in length. Locations of the trees were presented. Mr.



Monson noted that the alley is to be widened to 22 feet and that they are working on the design of the paper alley as noted in staff's recommendation.

A poster board depicting the 100 parking space garage was shown. Mr. Monson noted that the gate within the internal drive will be closed to traffic during drop-off and pick-up hours. He stated that the playing field is on top of the garage.

Chairman Sanger asked about the busses.

Mr. Monson stated that staff arrives before the busses arrive; otherwise they will use the south alley.

Chairman Sanger asked how the gates will operate.

Mr. Monson stated that whether they will be automatic or manual has not yet been determined.

Steve Lichtenfeld asked about student safety and crossing the north/south drive to the play area.

Mr. Monson indicated that students will use the stairs and cross the bridge.

Steve Lichtenfeld asked if students will never cross the north/south drive.

Mr. Monson responded only during drop-off and pick-up when vehicular traffic is non-existent because the gate will be closed.

Steve Lichtenfeld commented that students can spread out and be out of view.

Mr. Monson indicated that there will be a student gathering area and that the school is comfortable with the supervision.

A brief discussion regarding the grade elevations took place. Steve Lichtenfeld asked if they considered lowering the building.

Mr. Monson replied "yes"; however they believe, as proposed, this is the right balance. He noted that the southeast corner is 2 ½ foot below grade and the southwest corner is 1 foot above the field.

Steve Lichtenfeld asked if the cement board is an acceptable material.

Jason Jaggi replied "yes"; noting that it is similar to Hardie Board.

Steve Lichtenfeld asked if the joints will be visible.

Mr. Monson replied "yes"; noting that it will be caulked and sealed.

Steve Lichtenfeld asked the longevity of the material.

Mr. Monson indicated that his is not sure, although it has been used elsewhere for 10 years. He stated that upon request, he can provide material specifications.

Steve Lichtenfeld asked for that information to be given to staff. He asked about the translucent glass.

Mr. Monson indicated that it does a beautiful job filtering light and they want as much natural light as possible.

Steve Lichtenfeld asked how they plan to resolve the paper alley issues.

Mr. Monson indicated that the 10' paper alley along the south side of the property currently includes improvements which were done to accommodate fire and/or trash trucks backing up. He stated that they are in the process of working on that and that he talked with the City's Fire Marshal and Jason earlier today.

Steve Lichtenfeld asked if they will require a wider turning radius.

Mr. Monson indicated that it is tight, but it can be done.

Steve Lichtenfeld asked if they can avoid a conflict with the utility easement.

Mr. Monson indicated that they believe they can.

Steve Lichtenfeld asked where the water from the playing field goes.

Mr. Monson indicated that it will drain to the drainage system and then to the storm water detention vault.

Steve Lichtenfeld commented that where the students exit on the north side of the building is quite narrow.

Mr. Monson stated that the 50 X 25' area has a Code compliant 42" guardrail. He noted there are a total of four outdoor terraces.

Steve Lichtenfeld commented that none of them have grade level access.

Mr. Monson concurred.

Marc Lopata asked if this is the only city review the project will receive.

Chairman Sanger replied "yes".

Marc Lopata asked for clarification that impervious coverage is down, but run-off is up.

Mr. Boyer (civil engineer) stated that the run-off increase is due to a larger roof area, but release from the site itself is down dramatically.

Marc Lopata indicated that he is glad to hear that. He asked with regard to traffic, what time the gate will be closed.

Mr. Mueller indicated that they have not yet determined that; but they will inform staff of the decision.

Marc Lopata asked how kids will be kept out of the garage.

Mr. Mueller indicated that will be a challenge as there is nothing to keep them out of the garage. He stated that they will have closed circuit TV and that during off hours the gate north and south will be lockable/closable. He stated that their intent is to not have a fully enclosed environment.

Marc Lopata asked if people can park in the garage for evening events.

Mr. Mueller replied "yes".

Marc Lopata asked if the playing field is real grass or artificial.

Mr. Mueller indicated that depends on the bids.

Marc Lopata asked if the City has any recourse if the material is changed after it is approved.

Kevin O'Keefe responded that he didn't know and questions if this would be a meaningful difference.

Chairman Sanger noted that if this Commission does not approve, it can still be used if the School Board votes 2/3 to approve.

Kevin O'Keefe concurred.

Marc Lopata asked how many on-line votes were received with regard to this project.

Mr. Mueller replied "18".

Marc Lopata asked how many people the survey went to.

Mr. Mueller stated that it went to all citizens.

Marc Lopata stated that he did not receive it.

Mr. Mueller commented that the survey was done on-site during a community engagement meeting.

Marc Lopata asked for a comparison of the size of the existing and new kitchen.

Mr. Mueller stated that he believes the new kitchen is 10% larger.

Marc Lopata asked if the new kitchen will meet contemporary standards (versus a microwave).

Mr. Mueller replied “yes”. He stated it will be a full-service kitchen and that wholesome foods will be served.

Marc Lopata asked if the project will meet the cut and fill requirement.

Mr. Boyer stated that the amount of earth moved in and moved out is pretty much balanced; the problem is that it is being done in phases.

Marc Lopata asked about the sound-proof barrier between the band room and the classrooms.

Mr. Mueller stated that the barrier will be a concrete plank and they are confident that the design will do the job.

Marc Lopata asked about the green roof over the front door.

Mr. Mueller indicated that they are real plants.

Marc Lopata asked how vines will grow on the north side of the garage where there is no sun.

Mr. Mueller indicated that landscaping will be refined on the north side of the parking structure.

Marc Lopata asked what they would build if they could build anything on that site.

Mr. Mueller stated that they believe what is being proposed is best for the site, with the building on the east and the field on the west.

Ron Reim commented that it seems as though safety is very dependent on the proper usage of the gates.

Mr. Mueller stated that their number one issue is student safety and that they are comfortable with the design as proposed.

Ron Reim stated that the school building gets used by a lot of entities

Mr. Mueller stated that he is aware students will be crossing the streets and believes safety is being properly addressed.

Ron Reim asked where evacuation will take place in the event of an emergency.

Mr. Mueller indicated that the outdoor café leads to the south alley and that there is a north student gathering area as well.

Ron Reim asked about parking provisions for the construction workers.

Mr. Mueller advised the members that SM Wilson, contractor, is talking to Washington University to use some of their parking.

Mr. Raasch commented that they are speaking with Washington University to provide parking adjacent to the site or off-site and workers brought to the site.

Ron Reim asked about safety during construction.

Mr. Raasch indicated that they are talking to staff about that, but construction traffic should occur in and out of Wydown Boulevard.

Ron Reim asked about the residential properties on the north side of Aberdeen.

Mr. Mueller stated that there will be no changes.

Chairman Sanger asked about the stone retaining wall one foot into the right-of-way.

Mr. Mueller indicated that there are a number of factors that are being discussed with staff and he is confident that a solution is forthcoming. He mentioned that if the wall was moved further south, the sidewalk is less deep and a tight turning radius.

Susan Istenes commented that the Director of Public Works is in attendance.

Mike Pratt, Director of Public Works, introduced himself and stated that it would be helpful if the City Attorney would discuss right-of-way issues with regard to this project.

Kevin O'Keefe indicated that the right-of-way is City owned property and therefore, the School District can only use it if they have permission from the City to do so; in other words, the School District has no rights to the City right-of-way.

Mr. Pratt informed the members that he is not pre-disposed to permit a wall in the City right-of-way.

Craig Owens commented that the theater height is the highest part of the building and asked if any consideration was given to excavating and lowering that portion of the building.

Mr. Mueller indicated that there is currently a problem with interior circulation and it is their desire to improve on that; recessing would create stairs and ramps that are not wanted.

Mr. Monson indicated that with regard to the auditorium, the stage is at the floor level and half the seating is below the first floor level. He stated that as designed, the project meets ADA requirements to access the auditorium and the stage.

Craig Owens asked the applicant what the primary reason is for exceeding the setbacks.

Mr. Mueller indicated that the primary reason was to increase the building size by 25% and that a 2-story building provides better flow.

Craig Owens asked about the fourteen staff recommendations, with the exception of the wall in the right-of-way.

Mr. Mueller indicated that they have reviewed these recommendations and none of them are deal breakers; the recommendations that have the most impact are the north retaining wall and the 10' wide paper alley on the south.

Craig Owens asked if they are willing to comply with those recommendations.

Mr. Mueller replied "yes".

Kevin O'Keefe announced that he needs to leave as he is late for another commitment.

Chairman Sanger asked who was in attendance from the School District.

A total of five school board members were in attendance.

Chairman Sanger indicated that he would now solicit public input.

Mike Roth, architect and Clayton resident, read a statement he prepared (a copy of his complete statement/letter is included in the project's Plan Commission file) dated January 17, 2011. In summary, he believes that the proposed building, which is 23% larger than the existing building, is not as functional as the existing school building. He noted that of the 98 parking spaces proposed, 18 of those spaces are for compact cars only. He stated that he believes that it is almost impossible to soundproof the band room and that the kitchen is 2/3 of its current size and can only accommodate 164 students which would result in 4 or 5 serving periods. He added that the site elements, building, playfield, access and circulation roads are too cramped for the site and he believes that the District would be better served if the facility were 3 stories rather than 2 (1.68) stories and if the playing field were at the east rather than the west part of the site and he suggests the project not move forward as currently designed.

Dan Schlafly, 107 Aberdeen, commented that when the gate is closed, traffic will be forced to the south and west. He stated that the alley is not a service alley and is for the exclusive use of the residents. He asked that the impact to neighboring properties be considered during construction. He stated that surveyors trespassed onto neighboring properties without permission from the homeowners. He stated that he knows that they (the District/contractor) will ask for waivers of approved construction hours.

Chairman Sanger asked how the alley is platted.

Susan Istenes indicated that staff believes it was dedicated by the subdivision and that there is no evidence of private use restrictions.

Mike Pratt stated that the City's records show it as a public alley.

John Sutherland, 87 Aberdeen, stated that Hillcrest was private and that only the streets were deeded to the City; the gates and alley were specifically not deeded. He stated neither the school nor the City owns the alley. He asked the height of the monitors atop the building.

Mr. Mueller indicated that at the highest point - 38 feet.

Mr. Sutherland asked if a 6' high window is necessary for education.

Mr. Mueller replied "yes".

Mr. Sutherland asked the height of the field fence.

Mr. Mueller indicated that it is 8' tall.

Liza Streett, 6420 Cecil, submitted a signed petition (retained in the Plan Commission's file) asking to support responsible planning and conformation with the municipal codes. She stated they object to property values declining and difficulty selling their homes.

Bill Travis, President of Skinker Heights Association, 6425 Wydown, stated that he is not only proud of this community, but proud of Wydown. He stated that the proposed building is of an industrial style and he objects to the design and aesthetics as it detracts from Wydown's beauty. He stated it is not consistent with the neighborhood. He stated that he also is concerned with safety at the intersection of Wydown and University Lane.

Bev Wagner, 8025 Maryland, asked that the City and School District work together. She then referred to projects at Washington University, St. Michael-St. George (playground expansion) and Wilson School's new gymnasium. She stated that the plan proposed will accommodate the school and that the playing field, which is the size of a regulation size soccer field, will occupy 32.2% of the total acreage and is pushed too far to the east. She stated that she is very concerned about the safety of the north/south drive and the gate situation. She commented that more resident output is needed and that the current plan is not up to Clayton standards.

Sue Hodapp, 21 Wydown Terrace, stated that she objects to the plan as proposed and noted that it does not comply with zoning requirements.

Tom Currier, 23 Wydown Terrace, read a statement (a copy of his complete statement/letter is included in the project's Plan Commission file) dated January 18, 2011, outlining his objections to the plan, noting that the proposed new school's hardest effects are on the periphery, specifically at the north, south and east elevations and that it is at odds with both its environs and the nationally applauded Wydown Boulevard.

Jean Most, 95 Aberdeen, asked the provisions being made to ensure security to the neighboring homes. She stated that cars left in the parking garage will be a problem. She stated that she objects to the plan and that it is out of character and will have a neighborhood impact on the neighborhood.

Cindy Johnson, 6450 Ellenwood, commented that there are many unanswered concerns regarding this project and asked that the Commission vote against the project.

Loren Ettinger, 7441 Byron, indicated that the project is necessary and is in the best interest of everyone involved. She asked that everyone keep in mind that this is our middle school and that her taxes are going up and her property value is going up. She stated that although she is not crazy about the new building's architecture, it has many improvements over the existing school and that the overall plan meets the school's needs (inside) and that most people won't notice the 20' setback variance from University Lane. She asked that trucks not be allowed access within the site and stated that she is not crazy about the concrete panels.

Walter Wittenburg, 6434 Cecil, asked if staff has been asked to conduct a study of the ownership of the alley or if a title search has been provided to staff.

Having returned to the meeting, Kevin O'Keefe noted that the City does not require submittal of proof of ownership.

Susan Piper, 6309 Wydown, asked that voting day be considered as many residents and students vote at this location. She asked that the Commission challenge those that were hired to use materials that match the neighborhood.

Debbie Dobson, 4 Wydown Terrace, questioned the direction rainwater goes and asked the width of the walkways to the field.

Dave Davis, 40 Broadview, stated his safety concerns regarding the 22-foot wide vehicular drive aisle in the parking garage, which contains 90-degree parking spaces. He stated that the standard aisle width is 24 to 25 feet. He added that he has noted ADA violations: doors swing open to a 3-foot wide access walk leaving only 2-feet to the edge and a moving vehicle cannot be seen. He stated that a wider center aisle is needed. He stated that good planning makes good neighbors.

Jake Bernstein, 500 S. Meramec, commented that the fence around the field will look bad and that an open field is more friendly.

Chairman Sanger stated that the fence is intended to keep people and play equipment from falling out of field area.

Judy Goodman and Andrea Maddox-Dallas, Ward 1 Aldermen, thanked everyone for their thoughtful input. Alderman Goodman noted that Clayton schools are the hallmark of this community and that Conditional Use Permits have been issued for schools in the past. She stated they realize the School District does not have to follow policy and asked them, out of respect, to adhere to staff's recommendations.

Alderman Maddox-Dallas voiced her concerns regarding the homes to the south of the site, noting that the project does not meet zoning requirements. She stated that this building will forever alter the elements along this nationally recognized street. She commented that there is not argument that a new school is needed and suggested the possibility of having the sports field elsewhere.



Marc Lopata stated that he appreciates all the hard work the design team has done and that he voted in favor of Proposition W, but he, too, has concerns regarding safety and design, such as gate management, construction parking, parking lot access, LEED Silver (which is a standard LEED level), no Fire Marshal approval, no dedicated cafeteria space and usage times, smaller kitchen, energy model information, alley use, setback issue and whether a cost analysis has been conducted. He stated that a structure does not make an education and it is his recommendation to table this so the design team can go back to the design process and get the community on board.

Ron Reim stated that he was hoping for a more positive plan and that there are many unresolved issues and if the vote is to approve tonight, then this Commission will have no further say.

Steve Lichtenfeld commented that in general, he agrees with the comments heard this evening and as a Plan Commission member, he feels that it is his duty to uphold the zoning regulations which lends him to go against proceeding with the project.

Chairman Sanger stated that he does not want to come across as rude and that he does appreciate the work that has been done; however, no one should have expected to bring the project as proposed to this Commission and receive approval. He stated he believes this shows a lack of respect and that the project, as designed, does not belong in Clayton and, if Washington University can do it, so can this project. He added that there are too many unanswered questions. He asked Kevin O'Keefe what would happen if this Commission votes to table the item.

Kevin O'Keefe informed Chairman Sanger that this type of discussion should not take place in a public setting and that the law allows the Commission to consult with counsel in closed session.

Craig Owens made a motion to hold a closed session to allow the Commission to consult with counsel. The motion was seconded by Steve Lichtenfeld and received the following roll call vote: Ayes: Chairman Sanger, Craig Owens, Steve Lichtenfeld, Marc Lopata and Ron Reim. Nays: None.

At 9:10 p.m., the members and Kevin O'Keefe went into closed session.

At 9:30 p.m., the closed session concluded and Chairman Sanger announced that they are now back in regular session and called for a motion.

Steve Lichtenfeld made a motion to recommend to the Board of Education not to proceed with the project as currently designed. The motion was seconded by Marc Lopata.

Chairman Sanger announced that before the vote is taken, that the nature of this vote or motion has to do with the location, character and extent which is allowed by state statute. He indicated that this Commission has no problem with the proposed location as this is a great location for a school; however, in terms of character, it is believed that this project is out of character with the neighborhood specifically regarding its architecture, massing and height. In terms of extent, it is believed it is overbuilt for the site. He asked for assurance that the School Board recognizes that the City has regulatory authority with regard to public safety and that the District must comply with safety issues that may be forthcoming from the Fire, Police or Public Works Departments. He stated that he appreciates the fact that the presenters here this evening indicated the willingness to

comply with the 14 recommendations outlined in staff's memorandum and the expectation that those recommendations would be fulfilled if the project proceeds. Chairman Sanger then noted that there is a motion and a second on the floor, asked the recording secretary to call the roll and that an "aye" vote means an agreement with the recommendation to the School Board not to proceed with this project.

Upon roll call, the following votes were cast: Aye: Chairman Sanger, Craig Owens, Steve Lichtenfeld, Marc Lopata and Ron Reim.

Chairman Sanger announced that this concludes the meeting and thanked everyone for attending and participating this evening.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 9:40 p.m.

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Recording Secretary